

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert Marsh on 1 June 2009.

The application has been amended as follows:

1. (Currently Amended) A device for electronically pricing product above a shelf comprising:

a bus,

said bus including a rearward panel, a forward panel, a spacing between portions of said rearward and said forward panels forming a cavity therebetween and having a plurality of contact strips extending between said rearward panel and said forward panel,

said bus having a downwardly directed opening communicating with said cavity,
said bus attachable to said shelf,

a price display unit having a forward panel for electronically displaying a product price,

said price display unit including an upwardly directed rearward member joined to a bottom of said forward panel of said price display unit,

said rearward member removably receivable into said downwardly directed opening for removably attaching said price display unit to said bus,

said rearward member having contacts for making electric connection to said contact strips,

a control unit for storing pricing information, ~~and~~

said control unit electrically connected to said contact strips of said bus wherein said price display unit receives electric power and a display signal from said control unit through said contact strips of said bus, and

a serrated surface on said bus and an engagement surface on said pricing unit to lock said price display unit against sliding movement along said bus.

2. (canceled)

3. (canceled)

4. (canceled)

5. (previously presented) The device of claim 1 and further comprising:

said price display unit having a receiver for receiving an electromagnetic communication,

a product identification number printed in an electronically readable code on each of said plurality of products on said shelf wherein said product identification number identifies said product,

a handheld programming unit including a transmitter and a scanner for reading said electronic codes wherein said scanner will read said product identification number for one of said products and said transmitter will transmit said product identification number for said one of said products to one of said price display units wherein said one of said price display units will portray pricing information for said one of said products.

6. (canceled)

7. (canceled)

8. (previously presented) The device of claim 1 and further comprising:

a product identification number printed in an electronically readable code on said products on said shelf,

an electronic identification code printed on said price display unit,

a handheld programming unit including a transmitter and scanner for reading said electronic codes wherein said programming unit can read said product identification number for one of said products and read said identification code for said price display unit and transmit said codes to said control station, and

means for linking said codes wherein said control station will transmit pricing information for said one of said products to said control station to be displayed on said price display units.

9. (previously presented) The device of claim 7 and further comprising:

a product identification number printed in an electronically readable code on each of said products on said shelf,

each said price display unit including a detector for detecting an electronic signal, and said control unit including a transmitter for transmitting information to said control station,

a handheld programming unit having a scanner for reading said electronically readable code on said products and a transmitter for transmitting an electric signal to said detector on one of said price display units wherein said scanner can record said product identification number for one of said products and transmit said product identification number to one of said display units such that said product identification number and said unit identifier for said one of said price display units will be transmitted to said control unit, and

means for linking said stock number and said unit identifiers wherein pricing information for said one of said products is displayed on said one of said product display units.

10. (previously presented) The device of claim 1 and further comprising

said rearward member including a means for preventing the manual removal of said display unit from said bus, and

a tool having an end formed solely for engaging said price display unit and for releasing said rearward member from said bus wherein said price display unit cannot be removed from said bus without said tool.

11. (previously presented) The device of claim 10 wherein
said tool has at least one elongate rod,
said price display unit has a hole therein sized to receive said at least one elongate rod, and
said hole positioned to direct said at least one elongate rod toward a portion of said rearward member wherein said at least one elongate rod will release said price display unit from said base.

12. (Previously presented) The device of claim 1 and further comprising
each of said price display units having a rearward member for attaching said display unit to said bus,
said rearward member preventing the manual removal of said price display unit from said bus, and

a tool having an end formed solely for engaging said price display unit and for releasing said price display unit from said bus wherein said price display unit cannot be removed from said bus without said tool.

13. (previously presented) The device of claim 12 wherein
said tool has at least one elongate rod,
said price display unit has a hole therein sized to receive said at least one elongate rod, and
said hole positioned to direct said at least one elongate rod toward said rearward member wherein said at least one elongate rod will release said price display unit from said base.

REASONS FOR ALLOWNCE

2. The following is an examiner's statement of reasons for allowance:

Regarding Independent claim 1

Claim 1 recites a device for electronically pricing product above a shelf, where in the device comprising a serrated surface on said bus and an engagement surface on said pricing unit to lock said price display unit against sliding movement along said bus.

The most remarkable prior arts of record are Massaro (US 2002/0034067), Munn et al. (20030156090) and Failing et al. (US 5241467). Massaro is directed to an electronic display for store shelves that provides electronic display, bus, electronic connector, and contact strips (Massaro, Figure 1 – 2, 9 – 10 and Abstract). Massaro does not teach the structural limitation of the claimed invention, a serrated surface on said bus and an engagement surface on said pricing unit to lock said price display unit against sliding movement along said bus.

Munn et al. is directed to bistable liquid crystal display having a remote display update that have electronic display, bus, and electric connector (Munn, Figure 6 – 10E). Munn does not teach the structural limitation of the claimed invention, a serrated surface on said bus and an engagement surface on said pricing unit to lock said price display unit against sliding movement along said bus .

Failing et al. (US 5241467) is directed to space management system having electronic display, bus, electric connectors (Failing, Figure 1 – 4, and Column 4 line 13 – Column 5 line 20). Failing does not teach the structural limitation of the claimed invention, wherein a serrated surface on said bus and an engagement surface on said pricing unit to lock said price display unit against sliding movement along said bus.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

EXAMINER COMMENTS

Applicant's arguments presented in the after Final filed on 27 April 2009 are persuasive and, therefore, the finality of that action mailed on 13 February 2009 is withdrawn.

CONCLUSION

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Connor et al. (US 2002/0147597, October 10, 2002) discloses system and method for restocking and re-pricing merchandise.

Crayton Harrison (Knight Ridder Tribune Business News, February 24, 2003) discloses Dallas Trade Show Features Grocery-Store Technology.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ig T. An whose telephone number is (571)270-5110. The examiner can normally be reached on Monday - Thursday from 9:30 AM to 5 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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